

OCT 11 2007

FACSIMILE TRANSMITTAL FORM	Application Number	10/821078
	Confirmation Number	1677
	Filing Date	April 8, 2004
	First Named Inventor	Davis, Robert A.
	Examiner Name	Malanie J. Hand
Fax: 571-273-8300 and 571-273-8464	Attorney Docket Number	56630US007
Total Number of Pages in This Submission: 58		
Date: October 11, 2007	Attorney for Applicant: Nancy M. Lambert/cma	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Amendment Transmittal	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosures: Applicant Initiated Interview Request Form and Cited References to discuss
<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts under 35 USC 371 in US Designated/ Elected Office (DO/EO/US)	<input type="checkbox"/> Request for Refund <input type="checkbox"/> Request for Continued Examination (RCE) Transmittal	
<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance Communication to Technology Center	
REMARKS:		

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION
MAY CONTAIN CONFIDENTIAL OR LEGALLY PRIVILEGED INFORMATION
INTENDED ONLY FOR THE PERSON OR ENTITY NAMED BELOW.

If you are not the intended recipient, please do not read, use, disclose, distribute or copy this transmission.
If this transmission was received in error, please immediately notify me by telephone directly at 651-733-2180 or 651-733-1500, and we will arrange for its return at no cost to you.

OCT 11 2007

32692

Case No. 56630US007

Customer Number

First Named Inventor: DAVIS, ROBERT A.

Application No.: 10/821078

Confirmation No.: 1677

Filed: April 8, 2004

Status of Application: REJECTED

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.
☐ transmitted to United States Patent and Trademark Office on the date shown below via the Office electronic filing system.

October 11, 2007

Carrie M. Arcand

Date

Signed by: Carrie M. Arcand

APPLICANT INITIATED INTERVIEW REQUEST FORM

Tentative Participants:

- (1) Michael G. Williams (2) Nancy M. Lambert
 (3) Examiner Melanie J. Hand (4)

Proposed Date of Interview: October 12, 2007Proposed Time: 10:00 a.m. Central Standard Time

Type of Interview Requested:

- ☒ Telephonic ☐ Personal ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☒ Yes ☐ No

The following exhibits will be provided and discussed:

Chapter 6 "Sterilization by Ethylene Oxide" from Achieving Sterility in Medical Products (Marcel Dekker, Inc., 1994).
 Transport of ethylene oxide through polymer films (J. Appl. Polymer Sci., 1987, 34:1835-59)

ISSUES TO BE DISCUSSED

Issues (Rej., Obj., etc.)	Claims/ Fig. #'s	Cited Reference	Discussed	Agreed	Not Agreed
(1) 102 Rejection	58-81	U.S. Patent No. 6, 585,693	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Consideration of IDS's filed May 23, 2007 and July 9, 2007			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

- (1) Cited Reference does not teach a device that is substantially impermeable to ethylene oxide.
 (2) IDS's comply with C.F.R § 1.97(c)(2) and MPEP 609.01(A).

An interview was conducted on the above-identified application on: _____

Note: This form should be completed by Applicant and submitted to the Examiner in advance of the interview (see MPEP § 713.01).
 This application will not be delayed from issue because of Applicant's failure to submit a written record of this interview. Therefore,
 Applicant is advised to file a statement of the substance of this interview (37 C.F.R. § 1.33(b)) as soon as possible.

Nancy M. Lambert

Nancy M. Lambert, Reg. No.: 44,856
 Telephone No.: 651-733-2180

(Examiner/SPE Signature)